

**ALASKA STATE LEGISLATURE  
HOUSE LABOR AND COMMERCE STANDING COMMITTEE**

March 19, 2021

3:22 p.m.

**MEMBERS PRESENT**

Representative Zack Fields, Co-Chair  
Representative Ivy Spohnholz, Co-Chair  
Representative Calvin Schrage  
Representative Liz Snyder (via teleconference)  
Representative David Nelson  
Representative James Kaufman (via teleconference)  
Representative Ken McCarty (via teleconference)

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 133

"An Act relating to the Alaska savings program for eligible individuals; relating to education savings programs; relating to the Education Trust of Alaska; relating to the Alaska advance college tuition savings fund; relating to the Alaska education savings program for children; and relating to the Governor's Council on Disabilities and Special Education."

- HEARD AND HELD

CONFIRMATION HEARING(S) :

Alaska Labor Relations Agency

Tyler Andrews - Anchorage

- HEARD AND HELD

State Board of Registration for Architects, Engineers & Land Surveyors

Fred Wallis - Healy  
Robert "Bob" Bell - Anchorage  
Jeff Garness - Anchorage  
Loren Leman - Anchorage  
Ed Leonetti - Anchorage

Randall Rozier - Fairbanks

- HEARD AND HELD

Jake Maxwell - Anchorage

- SCHEDULED BUT NOT HEARD

Workers' Compensation Appeals Commission

Deirdre Ford - Anchorage

Amy Steele - Anchorage

- HEARD AND HELD

State Board of Physical Therapy & Occupational Therapy

Lisa Radley - Anchorage

Rebecca Dean - Fairbanks

Jodi Pfeiffer - Fairbanks

- HEARD AND HELD

Nathan Missler - Anchorage

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 133

SHORT TITLE: AK ED SAVINGS PROGRAMS/ELIGIBILITY

SPONSOR(s): LABOR & COMMERCE

03/10/21	(H)	READ THE FIRST TIME - REFERRALS
03/10/21	(H)	L&C, FIN
03/17/21	(H)	L&C AT 5:45 PM BARNES 124
03/17/21	(H)	<Bill Hearing Canceled>
03/19/21	(H)	L&C AT 3:15 PM BARNES 124

**WITNESS REGISTER**

PAMELA LEARY, Director  
Treasury Division  
Department of Revenue  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing of HB 133.

TAMERA "TAMMI" WEAVER, Trust Administrator  
Education Trust of Alaska  
University of Alaska Fairbanks  
Fairbanks, Alaska

**POSITION STATEMENT:** Answered questions during the hearing of HB 133.

CHAD HAMPTON, Attorney  
Disability Law Center of Alaska  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 133.

TYLER ANDREWS, Appointee  
Alaska Labor Relations Agency  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the Alaska Labor Relations Agency.

FRED WALLIS, Appointee  
State Board of Registration for Architects, Engineers & Land Surveyors  
Healy, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

ROBERT "BOB" BELL, Appointee  
State Board of Registration for Architects, Engineers & Land Surveyors  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

JEFF GARNESS, Appointee  
State Board of Registration for Architects, Engineers & Land Surveyors  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

LOREN LEMAN, Appointee  
State Board of Registration for Architects, Engineers & Land Surveyors  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of Registration for Architects, Engineers & Land Surveyors.

ED LEONETTI, Appointee  
State Board of Registration for Architects, Engineers & Land  
Surveyors  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of  
Registration for Architects, Engineers & Land Surveyors.

RANDALL ROZIER, Appointee  
State Board of Registration for Architects, Engineers & Land  
Surveyors  
Fairbanks, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of  
Registration for Architects, Engineers & Land Surveyors.

DEIRDRE FORD, Appointee  
Workers' Compensation Appeals Commission  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the Workers'  
Compensation Appeals Commission.

AMY STEELE, Appointee  
Workers' Compensation Appeals Commission  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the Workers'  
Compensation Appeals Commission.

LISA RADLEY, Appointee  
State Board of Physical Therapy & Occupational Therapy  
Anchorage, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of  
Physical Therapy & Occupational Therapy.

REBECCA DEAN, Appointee  
State Board of Physical Therapy & Occupational Therapy  
Fairbanks, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of  
Physical Therapy & Occupational Therapy.

JODI PFEIFFER, Appointee  
State Board of Physical Therapy & Occupational Therapy  
Fairbanks, Alaska

**POSITION STATEMENT:** Spoke as an appointee to the State Board of  
Physical Therapy & Occupational Therapy.

#### **ACTION NARRATIVE**

[3:22:11 PM](#)

**CO-CHAIR IVY SPOHNHOLZ** called the House Labor and Commerce Standing Committee meeting to order at 3:22 p.m. Representatives Spohnholz, Nelson, Schrage, Snyder (via teleconference), Kaufman (via teleconference), and Fields were present at the call to order. Representative McCarty arrived (via teleconference) as the meeting was in progress.

**HB 133-AK ED SAVINGS PROGRAMS/ELIGIBILITY**

[3:23:54 PM](#)

CO-CHAIR SPOHNHOLZ announced that the first order of business would be HOUSE BILL NO. 133, "An Act relating to the Alaska savings program for eligible individuals; relating to education savings programs; relating to the Education Trust of Alaska; relating to the Alaska advance college tuition savings fund; relating to the Alaska education savings program for children; and relating to the Governor's Council on Disabilities and Special Education."

[3:24:19 PM](#)

CO-CHAIR FIELDS introduced HB 133 on behalf of the House Labor and Commerce Standing Committee, sponsor, and offered a PowerPoint presentation entitled, "HB 133 - ABLE Update." He began on slide 1, "What is an ABLE Account?" which read as follows [original punctuation provided]:

ABLE: Achieving a Better Life Experience

- Tax-free savings account for individuals with qualifying disabilities
- Funds may be used to pay for items such as disability expenses, education, housing, transportation
- Distributions into accounts are not counted against individual in determining eligibility for Medicaid and needs-based assistance programs

CO-CHAIR FIELDS proceeded to slide 4, "ABLE Act of 2013," which read as follows [original punctuation provided]:

- Signed into federal law in December 2014 as part of the Tax Extenders package
- Established 529A (ABLE) savings account exclusively for individuals with disabilities

CO-CHAIR FIELDS added that following the signing, former Alaska State Representative Dan Sadler and former Alaska State Senator Cathy Giessel passed the first iteration of the Alaska ABLE Act. He proceeded to slide 5, "Alaska ABLE Act," which read as follows [original punctuation provided]:

- Signed into law in July 2016
- Authorized establishment of a state ABLE program to be administered by Department of Revenue
- Matched the 2013 ABLE Act passed by Congress
- Alaska joined the National ABLE Alliance, a group of 17 states formed to share information, create economies of scale and provide a hub for financial inquiries

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CO-CHAIR FIELDS shared that since the passage of this version of the ABLE Act, there have been significant federal changes. He stated that the purpose of the bill is to conform to and take advantage of those federal changes, which will be discussed in the subsequent slides. He proceeded to slide 7, "ABLE to Work Act," which read as follows [original punctuation provided]:

- Signed into law in 2017 as part of the Tax Cuts and Jobs Act
- Increased annual contributions levels
- Incentivized employment by increasing the contribution level for employed beneficiaries from \$15,000 to \$27,060

CO-CHAIR FIELDS paraphrased from slide 8, "ABLE Financial Planning Act," which read as follows [original punctuation provided]:

- Signed into law in 2017 as part of the Tax Cuts and Jobs Act
- Allowed college saving account funds (529 accounts) to roll over into ABLE accounts
- Allowed individuals who incurred disabilities after they established 529 college savings plan to roll over savings into ABLE account

CO-CHAIR FIELDS proceeded to slide 9, "ABLE Age Adjustment Act," which read as follows [original punctuation provided]:

- Will increase the age of eligibility from 26 to 46

- Will allow more participation in ABLE accounts

CO-CHAIR FIELDS explained that these changes make sense to him because people with disabilities have a continued need for updated training to keep abreast of current labor market opportunities.

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CO-CHAIR FIELDS proceeded to slide 10, "HB 133 Proposed Updates," and asked whether the committee would like to embark upon the proposed change of reassigning the management of ABLE to a different department. He stated that he would like to hear ideas on the best department to house this program. He paraphrased the slide, which read as follows [original punctuation provided]:

- Reassigns department responsibility
- Expands age eligibility limits
- Allows greater flexibility in using funds to pay for education expenses
- Allows 529 program accounts to roll into an ABLE account
- Aligns with federal regulations regarding program savings accounts

CO-CHAIR FIELDS began the Sectional Analysis on slide 12, "Section 1," which read as follows [original punctuation provided]:

- Establishes AS 06.65.020(b)
- Requires the Department of Health and Social Services to consult with the Governor's Council on Disabilities and Special Education when overseeing the Alaska Savings Program

CO-CHAIR FIELDS moved to slide 13, "Section 2," which read as follows [original punctuation provided]:

- Expands the age of eligibility from 26 to match proposed federal law age of 46.

CO-CHAIR FIELDS paraphrased slide 14, "Sections 3-4," which read as follows [original punctuation provided]:

- Expands eligibility of contributors and the amount of contributions to program accounts to match guidelines in AS 14.40.802(f)(3) from Section 10
- Expanded to include:
- Contributions for the beneficiary or for a new individual who is a member of the family of the former beneficiary and an eligible individual under AS 06.65.100.

CO-CHAIR FIELDS proceeded to slide 15, "Section 5," and explained that this section anticipates future federal changes so that state law may not need to be updated as frequently. The slide read as follows [original punctuation provided]:

- Specifies that a rollover may occur between a program account to another account if the new account is authorized by federal law

[3:28:28 PM](#)

CO-CHAIR FIELDS paraphrased slide 16, "Section 6," and explained that it shifts departmental responsibility from the Department of Revenue (DOR) to the Department of Health and Social Services (DHSS). He reminded the committee that the question of whether or not this should be done remains unanswered and he would like to hear feedback on this aspect of the proposed bill. The slide read as follows [original punctuation provided]:

- Redefines "department" to mean the Department of Health and Social Services to mark the shift in supervising authority between the two departments

CO-CHAIR FIELDS proceeded to slide 17, "Section 7," which read as follows [original punctuation provided]:

- Replaces "higher education" with "education" when referring to an education savings account

CO-CHAIR FIELDS moved to slide 18, "Section 8," which read as follows [original punctuation provided]:

- Removes the distinction of postsecondary education when referring to an education savings account
- Renames the "Alaska Higher Education Savings Trust" to the "Education Trust of Alaska"



CO-CHAIR FIELDS briefly summarized slide 19, "Section 9," which read as follows [original punctuation provided]:

- Removes the distinction of postsecondary education when referring to an education savings account
- Renames the "Alaska Higher Education Savings Trust" to the "Education Trust of Alaska"
- Removes the allowance that education savings accounts can be used to pay for room and board when using funds for education costs as this language is already included in Section 14

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CO-CHAIR FIELDS continued to slide 20, "Section 10," which read as follows [original punctuation provided]:

- Establishes AS 14.40.802(f)(3)
- ABLE participants were previously only able to change beneficiary of an account to eligible family members with 529 account or other ABLE account
- Participants are now able to change beneficiary of an account to any person, not just family members, who are eligible individuals
- A common reason that transfers happen is that the funds are no longer needed by original beneficiary
- Eligible individuals are defined as those with qualifying disabilities, including blindness

CO-CHAIR FIELDS identified that the important item in Section 10 is that Alaskans are not losing savings when they pass away. He skipped slide 21, "Section 11" and proceeded to slide 22, "Section 12," which read as follows [original punctuation provided]:

- Allows a program participant to designate a successor participant to their account and allows changes to take effect immediately

CO-CHAIR FIELDS explained that slide 23, "Section 13," included more information on "designated beneficiaries" related to 529 accounts and proceeded to slide 24, "Section 14," which read as follows [original punctuation provided]:

- Defines "designated beneficiary" to have the same definition given in 26 U.S.C. 529(e)
- "Designated beneficiary" means:

- “(A)the individual designated at the commencement of participation in the qualified tuition program as the beneficiary of amounts paid (or to be paid) to the program,
- (B)in the case of a change in beneficiaries described in subsection (c)(3)(C), the individual who is the new beneficiary, and
- (C)in the case of an interest in a qualified tuition program purchased by a State or local government (or agency or instrumentality thereof) or an organization described in section 501(c)(3) and exempt from taxation under section 501(a) as part of a scholarship program operated by such government or organization, the individual receiving such interest as a scholarship.”

[3:31:17 PM](#)

CO-CHAIR FIELDS advanced to slide 29, "Section 15," and explained that it relates back to 529 accounts and ABLE Act transfer issues.

CO-CHAIR FIELDS paraphrased slide 30, "Sections 16-23," which read as follows [original punctuation provided]:

- Renames the "Alaska Higher Education Savings Trust" to the "Education Trust of Alaska"
- Removes the distinction of higher education when referring to the Alaska education savings program or an education investment program
- Replaces "University of Alaska college savings plan" and "college savings account" with "education savings plan"

CO-CHAIR FIELDS explained that slide 31, "Section 24," refers to more on conforming changes for educational programs, and that slide 32, "Section 25," continues with these conforming changes.

CO-CHAIR FIELDS concluded that the conforming changes in the bill are the increase in age, rollovers from 529 accounts to the ABLE Act, the expanded beneficiaries, and the expanded amount of savings in the ABLE Act account to pay for education and training.

[3:32:58 PM](#)

REPRESENTATIVE NELSON asked if Co-Chair Fields could return to slide 21, "Section 11," in his presentation and explain it.

CO-CHAIR FIELDS responded that he wanted to ask one of the invited testifiers to explain it.

[3:33:21 PM](#)

PAMELA LEARY, Director, Treasury Division, Department of Revenue, explained that there are certain limits as to what money can go into ABLE funds. There are a variety of people that can add money to an account on behalf of someone who has an ABLE account, and the limit refers to the maximum amount of money that can go into the account.

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CO-CHAIR SPOHNHOLZ asked whether there are any concerns about exploitation in turning assets over to non-family members. She also asked whether the bill would allow 529 [accounts] to be used for [expenditures related to] kindergarten through twelfth grade ("K-12") and Pre-K.

MS. LEARY deferred the question to another testifier, Tammi Weaver.

[3:35:48 PM](#)

TAMMERA "TAMMI" WEAVER, Trust Administrator, Education Trust of Alaska, University of Alaska, Fairbanks, responded that the modifications to the bill do incorporate the changes in the federal tax law which allow 529 accounts to be used for K-12 education as well as apprenticeship and limited repayments of student loans.

CO-CHAIR SPOHNHOLZ asked whether that applies only to those with a disability or to all Alaskans.

MS. WEAVER responded that it applies to anyone who invests in a 529 education savings plan.

CO-CHAIR SPOHNHOLZ commented that that is a huge policy call change.

MS. WEAVER responded that this change is just to bring the state statutes in compliance with the federal law, which has been modified to allow those expenditures.

3:37:07 PM

CHAD HAMPTON, Attorney, Disability Law Center of Alaska (DLCA), shared that the DLCA is involved every day in advocacy for people with disabilities, and that the center hears concerns from these individuals about how to maintain their benefits. The solution for many of these individuals, he continued, is an ABLE account. Regarding the earlier question about the potential for exploitation, he said that there has been a trend recently in helping individuals with disabilities that may not have family members to help them, and he gave supportive decision-making agreements as an example of this. He explained that these agreements involve finding people in an individual with disability's network to help the individual understand information and make decisions. He said that he understands that there is a concern that this might lead to some exploitation and that there is no way to necessarily rule out that exploitation wouldn't happen within the family as well, but that's why there are backstops in place to protect people with disabilities such as Adult Protective Services. In advocating for people with disabilities, he said there is a big distinction between a person's ability to make unwise decisions, which everyone has the right to do, and exploitation.

MR. HAMPTON opined that it is a great idea to tie the state ABLE statutes more directly to the federal ABLE statutes. He shared that this would allow Alaskans to immediately benefit from changes in the federal law without waiting for Alaska to catch up on national disability norms as they may change. He added that the age extension from 26 to 46 mentioned in the presentation would be excellent as well as the general additional flexibility for how ABLE accounts are used.

3:40:27 PM

MR. HAMPTON shared that another challenge to individuals with disabilities is lack of individualized solutions that can lead to segregation from the general community. This can come in the form of separate classrooms for people with disabilities, sheltered workshops where people don't have the same employment options, or universal accommodations that aren't tailored to specific individual needs. Granting more flexibility to make these decisions will allow Alaskans with ABLE accounts greater authority over important decisions.

MR. HAMPTON concluded that he has a couple of concerns about HB 133. He considers it a logical change, but did note that even with the governor's plan for splitting the Department of Health and Social Services (DHSS) tabled, he asked the committee to consider potential consequences of implementing ABLE accounts under HB 133. Another concern he identified regards Section 1 of the bill, which would require the department to consult with the Governor's Council on Disabilities and Special Education (GCDSE). He shared that the DLCA understands the intent of this addition, but he said that a potential ambiguous reading of that same statutory language might commit the GCDSE to provide technical support on complex financial matters that it doesn't have the expertise or staffing to provide. He explained that the ambiguity arises out of the word "shall" coupled with the lack of definition on the purpose for consulting with the GCDSE. He concluded by reiterating that the DLCA supports the changes that the bill proposes.

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CO-CHAIR FIELDS shared that he and his staff talked with the GCDSE, and that the council's perspective was that it can continue to support this program through important outreach and coordination, but agreed that the council is probably not the most logical entity to support complex financial interactions; such interactions would better be housed in another department. He added that the testimony makes him think that although the council should remain in a supporting role, it does not have the capacity to "own" the program.

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CO-CHAIR SPOHNHOLZ asked Mr. Hampton to provide the committee with a concrete or specific recommendation if he has one.

[3:44:11 PM](#)

CO-CHAIR FIELDS asked if the departments could provide insight as to whether ABLE accounts would be more appropriately housed in DOR or DHSS.

[3:44:43 PM](#)

MS. LEARY responded that she was present at the birth of the program, and that it was quite the challenge. The program joined an alliance of 17 states and developed a request for proposal (RFP) to find a vendor for assistance in creating and

administering the program. Program coordinators now meet monthly to talk about issues that impact the constituents of the program. She shared that there are aspects of investment involved in the program, which is why it was housed in DOR initially, but the six investment types in which people can invest are fairly well identified and have been the same for the past five years. She added that the alliance of states meets regularly and if there is any discussion about changes, all members of the alliance are given equal input. She shared her opinion that the program in its current state is beyond the capacity of DOR and the department doesn't have "the touch," but transferring it to DHSS will help it to continue and give it that "touch" she identified as missing. She added that she would be happy to continue having discussions surrounding investments but that she thinks that the program would have its needs better served under DHSS.

CO-CHAIR SPOHNHOLZ offered her understanding that finding a way to create a combination of the financial expertise of DOR and the programmatic and relational outreach expertise of the GCDSE is going to be important in the final drafting of the bill. She asked if Ms. Leary agrees or if she has another suggestion.

MS. LEARY responded that participating in the alliance and discussing issues like self-certification and relevant federal legislation would be better served not within DOR, but in DHSS. She explained that DHSS is much closer to those issues and understands the needs of constituents. She reiterated that she would always be available as would her investment staff to discuss investment choices.

[3:48:29 PM](#)

MR. HAMPTON added that there is a potential for a finance and management services division within DHSS to oversee the financial management aspects. The GCDSE could be on hand to handle the disability outreach and implementation focus of it.

CO-CHAIR SPOHNHOLZ asked whether there might not be a Restructuring Support Agreement (RSA) between DOR and DHSS. She concluded that the committee understands the issue and can dedicate some time to coming up with the right structure for the program during the next meeting.

[3:49:41 PM](#)

CO-CHAIR FIELDS acknowledged that former State of Alaska Senate President Cathy Giessel did all the "leg work" on this bill and that he and his staff worked to update it.

[3:50:06 PM](#)

CO-CHAIR SPOHNHOLZ announced that HB 133 was held over.

**CONFIRMATION HEARING(S) :**  
**Alaska Labor Relations Agency**  
**State Board of Registration for Architects, Engineers & Land**  
**Surveyors**

[3:50:16 PM](#)

CO-CHAIR SPOHNHOLZ announced that the next order of business would be confirmation hearings in consideration of governor's appointees to various boards and agencies.

[3:50:41 PM](#)

TYLER ANDREWS, Appointee, Alaska Labor Relations Agency, shared that he has served on the board for a number of years and that he sees it as an honor to contribute to Alaska by using his professional expertise. He also identified it as an opportunity to dive deeper into his own expertise and appreciates the opportunity to serve and to contribute.

[3:51:30 PM](#)

CO-CHAIR SPOHNHOLZ noted that there were no questions from the committee and thanked Mr. Andrews.

[3:51:48 PM](#)

FRED WALLIS, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, summarized his experience and work history as an engineer. He said that he is the Vice President of Engineering for Usibelli Coal Mine, Inc. and a second-generation graduate of the mining program at the University of Alaska, Fairbanks. He has worked to obtain professional engineering status in Alaska and Canada over the last 29 years and has been employed by Usibelli Coal Mine, Inc. for the last 24 years. He concluded that he is looking forward to again serving on the board, especially considering that Alaska is assumed to grow immensely in the next five years,

which will result in a need for new engineers. He added that keeping the public safe is his number one priority.

[3:52:46 PM](#)

CO-CHAIR SPOHNHOLZ noted that there were no questions from the committee and thanked Mr. Wallis.

[3:52:54 PM](#)

ROBERT "BOB" BELL, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, shared that he has been practicing engineering and land surveying in Alaska for over 50 years. He started his own business in 1974 and it's still running with his son taking over as CEO in 2007. He said that makes him semi-retired, which gives him time to serve on the board. He explained that he has served on other boards and commissions such as the Anchorage Assembly, the State Board of Game, etcetera, and will bring experience in the technical, administrative, and political aspects of board membership.

[3:53:57 PM](#)

CO-CHAIR SPOHNHOLZ asked if there's anything that's come up during Mr. Bell's time on the board that's been particularly interesting.

MR. BELL responded that there have been some cases regarding continuing education that have been interesting. Around 10 percent of licensees are meant to be audited to ensure that the licensees actually complete the continuing education, but this has not been happening and only started happening around the same time he joined the board. He explained that it was obvious in some cases that the licensee hadn't done the continuing education and that instead, the licensee would compile a variety of attended meetings that the licensee thought should have qualified. He said that situation was interesting to sort through.

CO-CHAIR SPOHNHOLZ asked if Mr. Bell thinks that new processes have been put into place to ensure that those audits are taking place.

MR. BELL responded yes, it's working well.

[3:55:24 PM](#)



CO-CHAIR SPOHNHOLZ thanked Mr. Bell for his support of University of Alaska, Anchorage (UAA) and acknowledged his involvement there.

[3:55:33 PM](#)

JEFF GARNESS, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, shared that he and his entire family all live in Alaska, and he has been in business in Alaska for over 30 years. He said that he earned his Bachelor of Engineering degree and Master of Engineering degree in Arctic Engineering from the University of Alaska. He added that his son is also a civil engineer and, although his son got his engineering degree in California, his son came back to Alaska to work with Mr. Garness.

MR. GARNESS continued that he has served on the Board of Chiropractic Examiners as a public member and therefore has some board experience. He also noted that he was appointed by former Anchorage, Alaska, Mayor Ethan Berkowitz to serve on the Anchorage On-site Water and Wastewater Technical Review Board, which he serves on currently and he is awaiting reappointment. He explained that he is actively involved in writing water and wastewater code regulations as part of his position on the board. He concluded that his experience and knowledge will help him be an effective board member.

[3:57:21 PM](#)

REPRESENTATIVE SCHRAGE thanked Mr. Garness for his service in the military and to the community.

MR. GARNESS clarified that he didn't serve in the military but that he was a civilian doing work for 10 years for the Air Force and the Army.

[3:57:42 PM](#)

CO-CHAIR SPOHNHOLZ noted that Mr. Garness is a "double grad" of UAA.

[3:57:52 PM](#)

LOREN LEMAN, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, stated that he has been practicing civil environmental engineering for 47 years. He noted that 18 of those years were disrupted by his time serving

in the legislature for 14 years and then serving one term as lieutenant governor. He expressed his interest in meeting with committee members in person one day when that is possible [with consideration of COVID-19].

MR. LEMAN continued that the board is hard-working and meets four times a year for two days each time, which the board has done this year via video conference. He stated that he enjoys serving on the board to give back to his profession, which he said has been good to him. He noted that he offers a unique perspective in that he's also served in a public office and that's something that he hopes can be helpful. He concluded that he would appreciate the vote of the committee members but perhaps even more importantly, the committee's support for the other members of the board who are up for confirmation.

4:00:23 PM

CO-CHAIR SPOHNHOLZ commented that she worked with Mr. Leman at the Salvation Army and at UAA.

4:00:45 PM

ED LEONETTI, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, stated that a combination of working experience and volunteer board experience makes him an ideal board member. He shared that he is a licensed professional landscape architect in Alaska and four other states with 20 years of experience. He has planned a variety of landscape features such as parks, plazas, and playgrounds across the state. His most recent project involves integrating the Alaska Native culture into a new facility. He explained that he enjoys practicing landscape architecture in Alaska due to the unique nature of the state.

MR. LEONETTI explained that his past board experience includes quasi-judicial commissions and non-profit boards. He said that he has experienced times as a board member where the board has agreed unanimously and others where it has been divided, which he points to as an example that a healthy board or commission doesn't always agree, but that it allows members to have their own time to speak their concerns. This allows for healthy discussion as a group that stays on topic and resolves the motions on a table. He ended by pledging to collaborate with board members with a commitment to put the public first by protecting public health, safety, and welfare.

[4:03:07 PM](#)

CO-CHAIR SPOHNHOLZ asked if the education item on his resume called "Northern Building Design" taken through UAA was a certification, class, degree, or something else.

MR. LEONETTI answered that it is a course that is required for licensure.

[4:05:31 PM](#)

CO-CHAIR SPOHNHOLZ noted that a few appointees were not online, and that the committee would hear them at another time.

[Due to technical difficulties, the confirmation hearing for Randall Rozier, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, was heard later in the meeting.]

[4:08:23 PM](#)

CO-CHAIR SPOHNHOLZ announced that the committee will try Mr. Rozier at a later time when he has better cell service.

[4:08:36 PM](#)

CO-CHAIR SPOHNHOLZ opened public testimony on the confirmation hearings for Tyler Andrews, appointee to the Alaska Labor Relations Board and Fred Wallis, Robert "Bob" Bell, Jeff Garness, and Loren Leman, and Ed Leonetti, appointees to the State Board of Registration for Architects, Engineers & Land Surveyors. After ascertaining that there was no one who wished to testify, she closed public testimony.

[The confirmation hearings for governor's appointees Tyler Andrews to the Alaska Labor Relations Board and Fred Wallis, Robert Bell, Jeff Garness, Loren Leman, and Ed Leonetti, to the State Board of Registration for Architects, Engineers & Land Surveyors were held over.]

### **Workers' Compensation Appeals Commission**

[4:08:47 PM](#)

CO-CHAIR SPOHNHOLZ announced that the next order of business would be consideration of the governor's appointees to the Workers' Compensation Appeals Commission.

4:08:54 PM

DEIRDRE FORD, Appointee, Workers' Compensation Appeals Commission, explained that she was first appointed to the Alaska Workers' Compensation Appeals Commission in 2016 by former state of Alaska Governor Bill Walker to complete the term of the previous chair who went into retirement. She came to Alaska in 1978 and Alaska "sent me to law school" in 1981, she continued, and expressed her gratitude to the State for the opportunity to practice law and work in Alaska. She was reappointed by Governor Mike Dunleavy to a full five-year term and expressed that she loves doing the work of the commission and giving back to Alaska.

4:10:13 PM

CO-CHAIR SPOHNHOLZ asked Ms. Ford to tell the committee about what she enjoys about working on the commission.

MS. FORD responded that she was an attorney representing employers before the Alaska Supreme Court lost the Workers' Compensation Board, then was a hearing officer before the Workers' Compensation Board, and now does appellate work. She exclaimed that it is great fun to observe the attorneys making the mistakes that she made when she was practicing and help them to correct those mistakes.

4:11:35 PM

AMY STEELE, Appointee, Workers' Compensation Appeals Commission, testified that she was reappointed to the Workers' Compensation Appeals Commission in June 2019 and previously served as an industry member for the Workers' Compensation Board from 2011 through 2019. She said that she has over 20 years of experience in the insurance and risk management fields and has had the opportunity to manage and oversee claims throughout the United States and overseas. She surmised that this gives her a wide range of knowledge about multi-jurisdictional workers' compensation law. She shared that she currently works for a Native corporation overseeing the auto and workers' compensation claims and assisting employees with the process and with available benefits. She concluded that she thinks her extensive work history would allow her to bring beneficial knowledge and a relevant perspective to the commission. She shared that, like Ms. Ford, she also enjoys being on the commission and also enjoyed her time on the Workers' Compensation Board.

[4:12:54 PM](#)

CO-CHAIR SPOHNHOLZ opened public testimony on the confirmation hearings for Amy Steele and Deirdre Ford, appointees to the Workers' Compensation Appeals Commission. After ascertaining that there was no one who wished to testify, she closed public testimony.

[The confirmation hearings for governor's appointees Deirdre Ford and Amy Steele to the Workers' Compensation Appeals Commission were held over.]

**State Board of Physical Therapy & Occupational Therapy**

[4:13:22 PM](#)

LISA RADLEY, Appointee, State Board of Physical Therapy & Occupational Therapy, shared that she has worked in Alaska for three years and served on the board for the past year starting in March 2020. She said that she is honored to serve on the board and to contribute in any way she can to maintain the integrity of the profession and the accessibility of services to the public.

[4:14:38 PM](#)

REBECCA DEAN, Appointee, State Board of Physical Therapy & Occupational Therapy, shared that she has lived in Alaska for 34 years and her family, who also lives in Alaska, anchors her to the state. She shared her extensive work history in healthcare, including working as a therapy department administrative manager and 35 years of experience in recruiting, hiring, licensing, and credentialing physicians, physician assistants, physical therapists, and other health care professionals. She holds a Master of Business Administration degree and owns Dean and Associates, a healthcare and strategic management consulting business.

MS. DEAN continued that she is interested in serving on the board to contribute experience, knowledge, and wisdom and to effectively ensure diligence in the board's practices. She expressed interest in assisting in establishing standards that remain current and recognizing and meeting national trends, and ensuring that there is continued access to health care for all. She reiterated that her experience would make her a qualified

board member, and that she enjoys doing the work and feels a responsibility to give back.

[4:18:11 PM](#)

CO-CHAIR SPOHNHOLZ thanked Ms. Dean for her testimony.

[4:18:25 PM](#)

JODI PFEIFFER, Appointee, State Board of Physical Therapy & Occupational Therapy, stated that in her 27 years of experience in the field of physical therapy, she has worked in a variety of settings, including acute care, outpatient care, long-term care facilities, nursing facilities, and school districts. She shared that she recently completed the coursework for her master's degree program. She has also served in a variety of elected and appointed positions, including her current position as the Physical Therapy Assistant (PTA) program director at the University of Alaska Anchorage. She added that serving on this board would allow her to serve her profession and the public in a new way and allow her to be part of the regulatory process, which she stated has been a passion for her. She also noted that she has a perspective different from many other board members as a PTA, which will help the board be more reflective of the community it serves.

[4:20:14 PM](#)

REPRESENTATIVE NELSON asked if Ms. Pfeiffer was involved in the military.

MS. PFEIFFER responded that yes, her husband was stationed at Fort Leonard Wood, Missouri, and she worked as a PTA to help rehabilitate the trainees who had been injured to go back to training.

REPRESENTATIVE NELSON expressed his appreciation for her work.

[4:21:20 PM](#)

CO-CHAIR SPOHNHOLZ opened public testimony on the confirmations of Lisa Radley, Rebecca Dean, and Jodi Pfeiffer, appointees to the State Board of Physical Therapy & Occupational Therapy. After ascertaining that there was no one who wished to testify, she closed public testimony.

[The confirmation hearings for governor's appointees Lisa Radley, Rebecca Dean, and Jodi Pfeiffer to the State Board of Physical Therapy & Occupational Therapy were held over.]

**State Board of Registration for Architects, Engineers & Land Surveyors**

[4:21:36 PM](#)

CO-CHAIR SPOHNHOLZ announced that the final order of business would be a return to the confirmation hearing for governor's appointees to the State Board of Registration for Architects, Engineers & Land Surveyors.

CO-CHAIR SPOHNHOLZ explained that Mr. Rozier, who was previously not able to connect telephonically, was now available.

[4:21:47 PM](#)

RANDALL ROZIER, Appointee, State Board of Registration for Architects, Engineers & Land Surveyors, said that it is an honor to be appointed to the architect seat of the board. He expressed that he looks forward to coordinating and collaborating on a high level of responsibility and learning from the perspective of the other board members. He shared that he has always wanted to be an architect but since Alaska did not have an architecture program, he left the state to get his degree and then returned and has been practicing in Alaska ever since. He added that he has 15 years of experience and is currently an owner of one of the largest architecture firms in Alaska. He expressed that he has a responsibility to participate in government and the best way for him to do that is through his expertise in architecture.

[4:23:44 PM](#)

CO-CHAIR SPOHNHOLZ opened public testimony on the confirmation of Randal Rozier, appointee to the State Board of Registration for Architects, Engineers & Land Surveyors. After ascertaining that there was no one who wished to testify, she closed public testimony.

[The confirmation hearing for governor's appointee Randall Rozier to the State Board of Registration for Architects, Engineers & Land Surveyors was held over.]

[4:24:06 PM](#)

CO-CHAIR SPOHNHOLZ thanked all of the appointees.

[4:25:24 PM](#)

**ADJOURNMENT**

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 4:25 p.m.